05-08 CARS Rec'd PCT/PTO 04 MAY-2006 TTAL LETTER TRAN Docket No. (General - Patent Pending) MCGJ101 **JOHN MCGUIRE** Confirmation No. Customer No. Group Art Unit Filing Date Examiner Application No. 21,658 10/516,486 レ 11/30/2004 Title: APPARATUS FOR HOLDING A CATHETER BAG **COMMISSIONER FOR PATENTS:** Transmitted herewith is: PETITION UNDER 37 CFR 1.181 AND STATEMENT IN SUPPORT THEREOF WITH EXHIBITS A AND B RETURN RECEIPT POSTCARD in the above identified application. No additional fee is required. A check in the amount of \$400.00 is attached. The Director is hereby authorized to charge and credit Deposit Account No. as described below. Charge the amount of Credit any overpayment. Charge any additional fee required. □ Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

DEREK H. MAUGHAN-

DYKAS, SHAVER & NIPPER, LLP

Signatu

PO BOX 877

BOISE, ID 83701-0877

(208) 345-1122

cc: CLIENT

REG. NO. 52,007

Dated: MAY 4, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

MAY 4, 2006

(Date)

Signature of Person Mailing Correspondence

AMANDA L. MULLINS VIA EXPRESS MAIL

Typed or Printed Name of Person Mailing Correspondence

Rec'd PCT/PTO 0 4 MAY 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

JOHN MCGUIRE

Group/Art Unit:

Application No.: 10/516,486

Examiner:

Filed: 11/30/04

Attorney Docket No: MCGJ101

Title: APPARATUS FOR HOLDING A

CATHETER BAG

PETITION UNDER 37 CFR 1.181 AND STATEMENT IN SUPPORT THEREOF

TO:

Honorable Commissioner of Patents

ATTN: Catherine Short

Manager of United States Designated / Elected Office

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Commissioner:

Please accept the following copies of papers, originally submitted on May 18, 2005, and move the aforementioned application onward for Examination.

Please accept the following copies of documents, attached as Exhibit A, that were submitted to the United States Patent Office on May, 18, 2005 in response to a Notification of Missing Requirements. These items are true and correct unsigned office copies of the signed papers that were sent to the Patent and Trademark Office. Please also find a stamped return receipt postcard indicating receipt of these papers in the United States Patent and Trademark Office on May 18, 2005.

After repeated attempts to determine the status of the aforementioned application, Applicant's attorney received a letter on May 2, 2006, which notified the Applicant's attorney that a review of the aforementioned application file fails to show the presence of any Response to a Notification of Missing Requirements.

05/16/2006 GFREY1

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This notification then indicated that if examination of the application was desired that the Applicant must prepare and file this petition to accept copies of this previously filed Response. A copy of this letter is attached as Exhibit B.

This petition and submission is made pursuant to the instructions set forth in Exhibit B, and the petition fee of \$400.00 is included pursuant to 37 CFR 1.182. Applicant's attorney believes that this petition is proper and requests acceptance thereof.

Applicant's attorney also respectfully submits that in as much as the copies now being provided are done to replace the originals that were previously and timely received by the Patent and Trademark Office, but have apparently been misplaced, that the fee for this petition to place copies of these previously submitted items into this file, should either be waived or refunded back to the Applicant.

Applicant respectfully requests that this petition be granted, that the items in Exhibit A are accepted into the application file and that the application be allowed to pass on for Examination. If you have any questions or concerns in this matter, please feel free to contact me.

DATED This 4th day of May, 2006.

Respectfully Submitted,

DEREK H. MAUGHAN

Phone: 208-

208-345-1122

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as United States Express Mail Post Office to Addressee Service (#EV638767717US)] in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

DATE: May 4, 2006

Amanda L. Mullins

<u>'.</u>								
FORM PI	O-13	90 (Modified) U.S. PATENT AND TRA	RK OFFICE; U.S. DEPARTMENT OF COMMERCE	ATT 'EY'S DOCKET NUMBER				
			TO THE UNITED STATES	MC				
		DESIGNATED/ELECT	ED OFFICE (DO/EO/US)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)				
C			SION UNDER 35 U.S.C. 371	10/516,486				
		IONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED				
		PCT/GB03/01923	05/02/2003	05/31/2002				
		NVENTION						
APPAI	RAT	US FOR HOLDING A CATHI	ETER BAG					
		T(S) FOR DO/EO/US GUIRE	COPY					
Applica	nt he	erewith submits to the United State	es Designated/Elected Office (DO/EO/US) the I	following items and other information:				
1.		This is a FIRST submission of ite	ems concerning a submission under 35 U.S.C.	371.				
	Ø		JENT submission of items concerning a submis					
				371(f)). The submission must include items (5), (6),				
J.	_	(9) and (24) indicated below.	giir riduoridi ondiriiniduori productise (ee ererer	(,,,,				
4.		The US has been elected (Article	e 31).	•				
5.		A copy of the International Applic	cation as filed (35 U.S.C. 371 (c)(2))					
		a. is attached hereto (requ	uired only if not communicated by the Internation	onal Bureau).				
		b. has been communicate	d by the International Bureau.					
		c. \square is not required, as the a	application was filed in the United States Receive	ving Office (RO/US).				
6.		An English language translation	of the International Application as filed (35 U.S.	C. 371(c)(2)).				
		a. is attached hereto.						
		b. has been previously su	bmitted under 35 U.S.C. 154(d)(4).					
7.		Amendments to the claims of the	International Application under PCT Article 19	(35 U.S.C. 371 (c)(3))				
		a. are attached hereto (re-	quired only if not communicated by the Internat	ional Bureau).				
		b. \square have been communicate	ed by the International Bureau.					
		c. \square have not been made; h	owever, the time limit for making such amendm	ents has NOT expired.				
		d. \Box have not been made an	nd will not be made.					
8. (An English language translation of	of the amendments to the claims under PCT Ar	ticle 19 (35 U.S.C. 371(c)(3)).				
9.	Ø	An oath or declaration of the inve						
10. l		An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).						
11.		A copy of the International Prelim	ninary Examination Report (PCT/IPEA/409).					
12. l		A copy of the International Searc	h Report (PCT/ISA/210).					
Item	ns 1:	3 to 23 below concern documen	it(s) or information included:					
13. (An Information Disclosure State	ment under 37 CFR 1.97 and 1.98.					
14. [An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.						
15. l		A FIRST preliminary amendment.						
16.		A SECOND or SUBSEQUENT preliminary amendment.						
17. (A substitute specification.						
18. (A power of attorney and/or change of address letter.						
19. (A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.						
20. (A second copy of the published International Application under 35 U.S.C. 154(d)(4).						
21. [A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).						
22.	X	Express Mail Label No. EL	987114140US					
23.		Other items or information:						
			EL987114140U	Z				

BEST AVAILABLE COPY 1 of 2

PCTUS1/REV06

PTO-1390 (Rev. 02-2005) i for use through 3/31/2007. OMB 0651-0021 fice; U.S. DEPARTMENT OF COMMERCE ss it displays a valid OMB control number. App U.S. Patent and Tradema 5, no persons are required to respond to a collection of informati

U.S. APPLICATIO	INTERNATIONAL APPLICATION NO.			10N NO.	ATTORNEY'S DOCKET NUMBER				
10/516,486 PCT/GB03/01923							MCGJ101		
The following	fees are submitt		CALCULATIONS	PTO USE					
24. Basic national fee							\$ \$0.00		
25. Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). \$10 All other situations. \$20							\$ \$0.00		
·								-	
26. ☐ Search fee							\$ \$0.00		
All other situations. \$500 TOTAL OF 24, 25 and 26 =						. \$500	S \$0.00	 	
Additional fer sequence lis	e for specification ting or computer p h additional 50 sh	33.00							
Total Sheets Extra Sheets Number of each additional fraction thereof (round up to			of each additional 50	Or		RATE			
- 100 =	0 '/50 =		0		x	\$250.00	\$ \$0.00		
	0.00 for furnishing		eclaration later than r	nonth	s fro	n the	S		
CLAIMS	NUMBER F	ILED 1	NUMBER EXTRA		RA	TE			
Total claims		- 20 =	0	х		\$50.00	\$ \$0.00		
Independent clain	ns	- 3=	0	х		\$200.00	\$ \$0.00		
MULTIPLE DEPE	NDENT CLAIMS	(if applicable)		+		\$360.00	\$ \$0.00		
		TOTA	L OF ABOVE CA	ALC	ULA	TIONS =	s \$0.00		
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							\$ \$0.00		
-				S	UB	TOTAL =	\$ \$0.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).							s \$ 0.00		
TOTAL NATIONAL FEE =							\$ \$0.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +							s \$0.00		
			TOTAL FE	ES E	NCI	OSED =	\$ \$0.00		
							Amount to be	\$	
							Amount to be	\$	
a. A check	a. A check in the amount of \$ to cover the above fees is enclosed.								
b. Please charge my Deposit Account No in the amount of to cover the above fe A duplicate copy of this sheet is enclosed.							er the above fees.		
c. The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. A duplicate copy of this sheet is enclosed.									
d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.									
NOTE: Where ar	n appropriate tim	e limit under	37 CFR 1.495 has n	ot be	en m	et, a petitic	on to revive (37 CFR 1		
must be filed and granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO:									
DEREK H. MAI	JGHAN	SIGNATURE							
							I. MAUGHAN		
PO BOX 877 BOISE, IDAHO 83701-0877 NAME									
(208) 345-1122 52,007						52,007			
					ç	REGISTRAT	ION NUMBER		

Under the Paperwork Reduction Ac

		TAL LETTER Patent Pending)	Docket No. MCGJ101						
In Re Application	Of: MCGUIRE			- /					
•		•		,					
Application No. Filing Date 10/516,486		Examiner	Customer No. 21658	Group Art Unit	Confirmation No. 2842				
Title: APPARAT	US FOR HOLDING	A CATHETER BAG							
		COMMISSIONER FOR PAT	ENTS:						
Transmitted herewith is: TRANSMITTAL LETTER TO US DESIGNATED/ELECTED OFFICE COPY OF NOTIFICATION OF MISSING REQUIREMENTS DECLARATION AND POWER OF ATTORNEY RETURN RECEIPT POSTCARD									
in the above ident	ified application.								
 No additional fee is required. A check in the amount of is attached. The Director is hereby authorized to charge and credit Deposit Account No. as described below. Charge the amount of Credit any overpayment. Charge any additional fee required. Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. 									
			Dated: MA	Y 18, 2005					
DEREK H. MAUG DYKAS, SHAVER PO BOX 877 BOISE, IDAHO 83 (208) 345-1122	& NIPPER, LLP		deposited with sufficient postal addressed to the 1450, Alexandria MAY 18, (Date)	the United States ge as first class ne "Commissioner I a, VA 22313-1450" [
cc: CLIENT		2	JULIE (e of Person Mailing (D'TYSON via EL	987114140US				
			Typed or Printe	ed Name of Person Mi	ailing Correspondence				

Transmittal letter to the U.S. Designated/Elected Office, Copy of Notification of Missing Requirments, Delcaration and Power of Attorney, General Transmittal with Certificate of Mailing by Express Mail #EL987114140US

Applicant:

MCGUIRE

Invention:

APPARATUS FOR HOLDING A

MAY 2 6 2005

CATHETER BAG

Serial #:

PCT/GB03/01923

Our File:

MCGJ101

Date:

May 18, 2005

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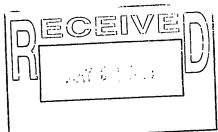
18 MAY 2005



27 APR 2006

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

VVVV.uspto.gov



Derek D. Maughan DYKAS, SHAVER & NIPPER, L.L.P. Post Office Box 877 Boise, Idaho 83701-0877

Dear Mr. Maughan:

This is in response to your request received 24 February 20061 inquiring about the status of U.S. patent application number 0/516,486. The Office electronic records and a manual review of the application file show no record of a response to the Notification of Missing Requirements allegedly filed 18 May 2005. Should prosecution of the application be desired, applicant should file a petition under 37 CFR 1.181 requesting the Office to accept copies of all the papers submitted on 18 May 2005 along with evidence of receipt of these papers in the Office on the date indicated above. The request should also contain a statement from the attorney of record indicating that these copies are true copies of the papers previously submitted to this Office. The request should be sent to the attention of Catherine Short, Manager of the United States Designated/Elected Office.

Sincerely,

Nguyên Ngoc-Hô Paralegal Specialist PCT Legal Office

Naugin Mar Ho

Tel: (571) 272-3290